

### REMARKS

#### Rejection Under 35 U.S.C. §103(a)

Claims 1-17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Shaffer et al. (U.S. Patent No. 6,687,234) in view of Rakoshitz et al. (U.S. Patent No. 6,816,903). The rejection is respectfully traversed.

In responding to the Examiner's prior art rejections, Applicant only justifies the patentability of the independent claims (1, 9, and 15-16). Because these independent claims are patentable over the prior art, narrower dependent claims are also necessarily patentable.

Shaffer discloses a multipoint control unit coordinator (MCUC) that tracks all conferences in a telecommunications system. The MCUC maintains a database of all the multipoint control units in the system, and determines the most appropriate mixing location for data processing when additional parties are added to a teleconference. Rakoshitz teaches a traffic monitoring method for monitoring and profiling of information flow in a network.

In contrast, claim 1 is drawn to a system for optimizing network resources for conference calls, comprising endpoints that request the conference calls, multi-point control units, a resource scheduler for receiving the conference call requests, and a gatekeeper communicatively coupled to the resource scheduler for managing the network resources.

The Examiner concedes that Shaffer does not teach a resource scheduler for receiving conference call requests, and a gatekeeper communicatively coupled to the resource scheduler. The Examiner contends, however, Rakoshitz teaches a resource scheduler (Figure 2, a FAIR module control) for receiving conference call requests (col. 13, l. 57 to col. 14, l. 5), and a gatekeeper communicatively coupled to the resource

scheduler for managing the network resources (col. 28, ll. 15-17). Applicant respectfully traverses.

First, Applicant submits that Rakoshitz does not teach or suggest a resource scheduler for receiving conference call request as claimed herein. Rakoshitz only teaches a Flow Analysis and Intelligent Regulation (FAIR) module that implements traffic control based on a combination of flow control and queuing algorithms (col. 13, ll. 59-64). FAIR's objective provides inbound and outbound traffic management for meaningful time intervals, reducing the load on packet classifiers and packet schedulers (col. 13, ll. 64-66). In contrast, the claimed resource scheduler is an application offering the ability to view and interact with the calendars of others on the enterprise network, as well as sending conference invitations and subsequently updating participant calendars upon acceptance of an invitation (paragraph 16, lines 1-6). Rakoshitz contains no teaching or suggestion of these features; hence, the FAIR module disclosed in Rakoshitz and the resource scheduler disclosed herein are different entities performing different functions.

Moreover, Rakoshitz does not teach or suggest a gatekeeper communicatively coupled to the resource scheduler for managing network resources as asserted by the Examiner. Rakoshitz only teaches a gatekeeper as a policy server (col. 28, ll. 15-17), which is part of an intelligent network comprising a policy manager that interfaces with policy servers or policy-driven services (see Figure 18; col. 26, l. 64 to col. 27, l. 2). These policy servers or policy-driven services are decision engines that monitor and control enablement and enforcement agents of the intelligent network. *Id.* Hence, Rakoshitz neither teaches nor suggests a gatekeeper communicatively coupled to a resource scheduler, let alone teach a gatekeeper communicatively coupled to a resource scheduler that can interact with other users' calendars and send conference invitations as described herein.

Accordingly, Applicant submits that the system of claim 1 is not *prima facie* obvious in view of the cited references because the cited references together do not disclose all of the limitations of claim 1. *See* MPEP § 2143.03. Shaffer and Rakoshitz do not disclose Applicant's limitation of

a resource scheduler for receiving the conference call requests, and a gatekeeper communicatively coupled to the resource scheduler for managing the network resources.

Claim 9 is drawn to a method of optimizing network resources for a conference call requested by endpoints, comprising the steps of receiving the conference call request by a resource scheduler, and accessing a connectivity policy module. The Examiner concedes that Shaffer does not teach receiving conference call request by a resource scheduler, and accessing a connectivity policy module. However, the Examiner contends that Rakoshitz teaches a resource scheduler (Figure 2, a FAIR module control) for receiving conference call requests (col. 13, l. 57 to col. 14, l. 5), and accessing a connectivity policy module (col. 28, ll. 15-17). Applicant respectfully traverses.

As discussed above, Applicant submits that Rakoshitz does not teach or suggest a resource scheduler for receiving conference call request as claimed herein. The FAIR module control disclosed in Rakoshitz is not equivalent to the resource scheduler disclosed herein, and the FAIR module performs functions different from those performed by the resource scheduler of the present invention. Accordingly, Applicant submits that the method of claim 9 is not *prima facie* obvious in view of the cited references because the cited references together do not disclose all of the limitations of claim 9. *See* MPEP § 2143.03.

Claim 16 is drawn to a system for optimizing network resources for conference calls, comprising a resource scheduler coupled to local area networks for scheduling the conference calls, and a gatekeeper coupled to the resource scheduler for determining an optimum cascade configuration for a plurality of multi-point control units. The Examiner concedes that Shaffer does not teach a resource scheduler coupled to local area networks

for scheduling the conference calls, and a gatekeeper coupled to the resource scheduler. However, the Examiner contends that these limitations are taught by Rakoshitz as described above in the rejection of claims 1 and 9. Applicant respectfully traverses.

As discussed above, Applicant submits that Rakoshitz does not teach or suggest a resource scheduler that performs the same functions as claimed herein. The FAIR module control disclosed in Rakoshitz is not equivalent to the resource scheduler disclosed herein. Hence, the system of claim 16 is not *prima facie* obvious in view of the cited references because the cited references together do not disclose all of the limitations of claim 16. See MPEP § 2143.03.

In view of the above remarks, Applicant respectfully requests that the rejection of claims 1-17 under 35 U.S.C. §103(a) be withdrawn.

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